

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Rodriguez, et al. v. The Islamic Republic of Iran</i>	18-cv-12347 (GBD)(SN) ECF Case

**ATTORNEY DECLARATION IN SUPPORT OF MOTION FOR
ENTRY OF PARTIAL FINAL DEFAULT JUDGMENT**

Robert Keith Morgan, Esq., hereby states under penalty of perjury, as follows:

1. I am an attorney with The Miller Firm, LLC, which represents the Plaintiffs in the above-captioned matter. I submit this Declaration in support of the motion for default judgment on behalf of the Plaintiffs identified in Exhibit A, attached hereto, from the action titled *Rodriguez, et al. v. The Islamic Republic of Iran*, 18-cv-12347-GBD-SN. The form of this motion and the relief requested herein are intended to comply with the following orders of this Court:

- a. The Court's Order dated January 24, 2017 (ECF 3435), requiring that "[a]ll further motions for final judgment against any defaulting defendant shall be accompanied by a sworn declaration attesting that the attorney has (1) complied with the due diligence safeguards referenced in Section II.D of the January 23, 2017 letter from the Plaintiff's Executive Committee, (ECF 3433) and (2) personally verified that no relief has previously been awarded to any plaintiff included in the judgment (or, if relief has been awarded, the nature of the relief)."¹
 - b. The Court's Order dated October 14, 2016 (ECF 3362) related to the cases captioned as *Bauer v. al Qaeda Islamic Army*, 02-cv-7236 (GBD)(SN) and *Ashton v. al Qaeda Islamic Army*, 02-cv-6977 (GBD)(SN).
2. Service of process on the Islamic Republic of Iran in this matter was effectuated

¹ Unless indicated differently, citations to ECF Nos. are to the docket in *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD)(SN).

through diplomatic channels pursuant to 28 U.S.C. § 1608(a)(4) on December 18, 2019 (ECF 8438) and the Certificate of Default was entered August 24, 2022 (ECF No. 8442).

3. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of the Plaintiffs identified in Exhibit A in connection with the terrorist attacks of September 11, 2001, other court records relating to the *In re Terrorist Attacks of September 11, 2001* multidistrict litigation to which these individuals are parties, my communications with other counsel representing other plaintiffs in the *In re Terrorist Attacks of September 11, 2001* multidistrict litigation, conversations with these Plaintiffs and other family members. Any matters about which I lack personal knowledge are asserted herein upon information and belief.

4. The Miller Firm has been retained by the Plaintiffs to pursue recovery for their damages arising out of the terror attacks on September 11, 2001. The Plaintiffs do not have any other motions requesting judgments pending against the Iranian defendants and, after reviewing records available to me regarding other judgments entered by this Court, I have not identified any relief that has been previously awarded to the plaintiffs against this defendant.

5. The *Rodriguez* Plaintiffs identified in Exhibit A, attached hereto, are all citizens the United States and each sustained physical injuries as a proximate result of the terrorist attacks on September 11, 2001.

6. Exhibit B is a true and correct copy of the Declaration of James Barnes detailing injuries received as a proximate result of the terror attacks on September 11, 2001.²

7. Exhibit C is a true and correct copy of the Declaration of Robert Brager detailing

² Exhibits containing the Plaintiffs' Declarations also contain Plaintiffs' Victim Compensation Fund "eligibility determination letter establishing that 9/11 was a substantial factor leading to [Plaintiffs'] medical conditions." (Mar. 3, 2023 R&R at 11 (ECF No. 8901), *adopted* Aug. 9, 2023 Mem. Decision and Order, (ECF No. 9274)).

injuries received as a proximate result of the terror attacks on September 11, 2001

8. Exhibit D is a true and correct copy of the Declaration of Kevin Burke detailing injuries received as a proximate result of the terror attacks on September 11, 2001.

9. Exhibit E is a true and correct copy of the Declaration of Frank Discala detailing injuries received as a proximate result of the terror attacks on September 11, 2001.

10. Exhibit F is a true and correct copy of the Declaration of Nick Dousmanis detailing injuries received as a proximate result of the terror attacks on September 11, 2001.

11. Exhibit G is a true and correct copy of the Declaration of Timothy Snickles detailing injuries received as a proximate result of the terror attacks on September 11, 2001.

12. Before filing this motion, I have (1) complied with the due diligence safeguards referenced in Section II.D of the January 23, 2017 letter from the PEC (ECF 3433) and (2) personally verified that, based on the PEC's review of the records available to it regarding other judgments entered by this Court against the Iranian defendants, no relief has previously been awarded to the plaintiffs included in the judgment.

13. Accordingly, a proposed Order of Partial Final Judgment for the Plaintiffs identified in Exhibit A, conforming to the Court's previous orders, is being filed contemporaneously with this Declaration.

Dated May 2, 2025

/s/ Robert Keith Morgan
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